

05 cv 138
CLOSED

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:04-cv-01120-JG-VVP**

Harris et al v. Ware
Assigned to: Judge John Gleeson
Referred to: Magistrate-Judge Viktor V. Pohorelsky
Cause: 28:1332 Diversity-Tort/Motor Vehicle (P.I.)

Date Filed: 03/17/2004
Jury Demand: None
Nature of Suit: 350 Motor Vehicle
Jurisdiction: Diversity

Plaintiff

Atiya Harris

represented by **William S. Kanas**
Sanford L. Pirotin, P.C.
323 Madison Street
Westbury, NY 11590
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rafael Severino

represented by **William S. Kanas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rafael Severino, Jr.
*an infant under the age of eighteen (18)
years of age by his father and natural
guardian, Rafael Severino*

represented by **William S. Kanas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rachelle Severino
*an infant under the age of eighteen (18)
years of age by his father and natural
guardian, Rafael Severino*

represented by **William S. Kanas**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Stacey D. Ware

represented by **Claude N. Grammatico**
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and Marutta
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Date Filed	#	Docket Text
03/17/2004	1	COMPLAINT Summons Issued against Stacey D. Ware filing fee \$ 150, receipt number 12374, filed by Atiya Harris, Rachelle Severino, Rafael Severino, Rafael Severino Jr.. (Attachments: # 1 Civil Cover Sheet) (Bowens, Priscilla) (Entered: 03/18/2004)
03/17/2004		ECF registration forms have been mailed, so that all filings may be made electronically. (Bowens, Priscilla) (Entered: 03/18/2004)
04/14/2004	2	ENDORSED ORDER signed by Judge John Gleeson on 4/12/04 granting dft's request to extend time to answer the complaint until 4/20/04. C/M by chambers.(DiLorenzo, Krista) Additional attachment(s) added on 4/15/2004 (DiLorenzo, Krista). Additional attachment(s) added on 4/15/2004 (DiLorenzo, Krista). (Entered: 04/14/2004)
04/21/2004	3	DISCLOSURE of Interested Parties by Stacey D. Ware.(DiLorenzo, Krista) (Entered: 04/23/2004)
04/21/2004	4	ANSWER to Complaint by Stacey D. Ware.(DiLorenzo, Krista) (Entered: 04/23/2004)
08/30/2004	5	ORDER, An Initial Conference will be held on 9/28/04 at 3:00 before Mag. Pohorelsky. (Signed by Judge Viktor V. Pohorelsky on 8/17/04) (Piper, Francine) (Entered: 08/30/2004)
09/28/2004	6	Minute Entry for proceedings held before Viktor V. Pohorelsky : Initial Conference Hearing held on 9/28/2004. See annexed conference calendar for details. (Newton, Joan) (Entered: 09/28/2004)
10/07/2004	7	Letter from Robert F. McCarthy-McDonald, Carroll, Cohen & Rayhill to Honorable Viktor v. Pohorelsky Regarding Conference scheduled for October 12, 2004. (McCarthy, Robert) (Entered: 10/07/2004)
10/08/2004		Set/Reset Hearings: Upon defendant's application by letter dated October

		7, 2004, the Scheduling Conference is reset for 10/26/2004 02:00 PM before Magistrate-Judge Viktor V. Pohorelsky. (Pohorelsky, Viktor) (Entered: 10/08/2004)
10/08/2004	8	Letter from Robert F. McCarthy to Hon. Viktor V. Pohorelsky Regarding Conference scheduled for October 12, 2004. (McCarthy, Robert) (Entered: 10/08/2004)
10/20/2004	9	DISCLOSURE of Interested Parties by Stacey D. Ware.(McCarthy, Robert) (Entered: 10/20/2004)
10/20/2004	10	Letter from Robert F. McCarthy to Hon. John Gleeson Regarding Pre Motion Conference. (McCarthy, Robert) (Entered: 10/20/2004)
10/25/2004	11	Letter from Robert F. McCarthy to Magistrate Judge Viktor V. Pohorelsky Regarding Conference scheduled for October 26, 2004. (McCarthy, Robert) (Entered: 10/25/2004)
10/25/2004		ENDORSED ORDER re 11 Letter: Application granted. The conference scheduled for 10/26/04 before the magistrate judge is ajourned. Counsel for the defendant shall advise chambers of the magistrate judge of the date and time of the proposed premotion conference, and counsel shall report to Room 521 for a brief status conference immediately after the conclusion of the premotion conference. [Entered by Judge Pohorelsky] (Newton, Joan) (Entered: 10/25/2004)
11/12/2004	12	ORDER, endorsed on letter dated 10/20/04 from Robert McCarthy to Judge Gleeson, Pre-motion conference is scheduled for 11/23/04 at 10:30. (Signed by Judge John Gleeson undated)(Piper, Francine) (Entered: 11/12/2004)
11/15/2004	13	Letter from Robert F. McCarthy to Hon. Viktor V. Pohorelsky Regarding Pre-Motion Conference. (McCarthy, Robert) (Entered: 11/15/2004)
11/19/2004	14	Letter dated 10/20/04 from Robert McCarthy to Judge Gleeson, dft request a pre-motion conference and permission to make a motion to dismiss (2) to transfer case (3) to apply Delaware Law to proceedings (4) to dismiss the matter based upon the expiration of the applicable statute of limitations. (Piper, Francine) (Entered: 11/19/2004)
11/23/2004	15	Minute Entry for proceedings held before Viktor V. Pohorelsky : Status Conference held on 11/23/2004. See annexed calendar for details. (Pohorelsky, Viktor) (Entered: 11/23/2004)
11/23/2004	16	Minute Entry for proceedings held before John Gleeson : Pre-Motion Conference held on 11/23/2004. Motion to be filed 1/7/05; Opposition 1/21/05; Reply 1/28/05; Argument 2/4/05 at 9:30. (Piper, Francine) (Entered: 12/02/2004)
01/05/2005	17	Letter from Robert McCarthy to Honorable John Gleeson Regarding Motion Date Schedule. (McCarthy, Robert) (Entered: 01/05/2005)
01/14/2005	18	ORDER, endorsed on letter dated 1/5/05 from Robert McCarthy to Judge Gleeson, Granted. Oral Argument 3/4/05 at 11:00. (Signed by Judge John

		Gleeson, not dated) (Piper, Francine) (Entered: 01/14/2005)
02/25/2005	<u>19</u>	MOTION to Dismiss <i>Or Transfer Venue And for the Application of Delaware Law</i> by Stacey D. Ware. Responses due by 2/25/2005 (McCarthy, Robert) (Entered: 02/25/2005)
02/25/2005	<u>20</u>	AFFIDAVIT in Opposition re <u>19</u> MOTION to Dismiss <i>Or Transfer Venue And for the Application of Delaware Law Opposition Papers of Plaintiff's Attorney, William S. Kanas</i> filed by Stacey D. Ware. (McCarthy, Robert) (Entered: 02/25/2005)
02/25/2005	<u>21</u>	REPLY to Response to Motion re <u>19</u> MOTION to Dismiss <i>Or Transfer Venue And for the Application of Delaware Law Reply Affidavit In Further Support of Motion and Memorandum of Law</i> filed by Stacey D. Ware. (McCarthy, Robert) (Entered: 02/25/2005)
02/25/2005	<u>22</u>	Letter from Robert McCarthy to Hon. John Gleeson and Hon. Viktor V. Pohorelsky Regarding Courtesy Copies of Motions Papers with Exhibits. (McCarthy, Robert) (Entered: 02/25/2005)
03/04/2005	<u>23</u>	ORDER granting <u>19</u> Motion to Dismiss to the extent that the complaint is transferred to the District of Delaware. The Clerk is directed to transfer the case. Signed by Judge John Gleeson on March 4, 2005. (Gleeson, John) (Entered: 03/04/2005)
03/04/2005	<u>26</u>	Minute Entry for proceedings held before John Gleeson : Motion Hearing held on 3/4/2005 re <u>19</u> MOTION to Dismiss <i>Or Transfer Venue And for the Application of Delaware Law</i> filed by Stacey D. Ware. Motion to Dismiss is moot since case is being transferred to Delaware. (Piper, Francine) (Entered: 03/09/2005)
03/08/2005		Case transferred to District of Delaware. Original file, certified copy of transfer order, and docket sheet sent. (Signed by Judge John Gleeson on 3/4/05) (see document #23 for order) (Piper, Francine) (Entered: 03/08/2005)
03/08/2005	<u>24</u>	Letter dated 3/8/05 from Francine Piper to District Clerk, District of Delaware, enclosing transfer documents and advising that other documents can be downloaded from our website. (Piper, Francine) (Entered: 03/08/2005)
03/08/2005	<u>25</u>	CERTIFICATE OF SERVICE of Transfer Documents via fedex on 3/8/05 upon District Clerk, U.S.D.C of Delaware. Package Tracking #846482820796. (Piper, Francine) (Entered: 03/08/2005)

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